IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

CRP.No. 746 of 2003()

OP.EL.448/1999 of ADDL. DISTRICT COURT, THALASSERY

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REVN. PETITIONER/ RESPONDENT

THE SECRETARY, K.S.E.BORAD,
VAIDYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM.

BY ADV. SRI.P.SANTHALINGAM, SC, KSEB
SRI.C.K.KARUNAKARAN, SC FOR KSEB

RESPONDENTS/PETITIONER

KADANKOT KUNHIRAMAN S/O. KORAN,
AGED 65 YEARS, PRESIDENT OF THITTAN SMARAKA
COMMITTEE, P.O. CHERUPAZHASSI, MAYYIL.

BY ADV. SRI.SARVOTHAMAN

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 11/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

C.R.P.NO.746/2003

ORDER ON CMP.NO.1814/2003 IN C.R.R.NO.746/2003

Dismissed

11/7/2007 Sd/- P.R.RAMAN, JUDGE.

P.R.RAMAN J.

C.R.P.No.746 OF 2003

Dated this the 11th day of July, 2007

O R D E R

This revision is filed against the award in O.P.(Ele.) No.448/99 on the file of the Additional District Court, Thalassery. This case along with other cases was tried and disposed of by a common order. Revisions preferred against the other orders were disposed of by this Court as per order dated 10th March, 2003 in C.R.P.No.1582/2003 and connected cases.

2. Two contentions were raised; (1) regarding the compensation awarded towards diminution at 20% of the market value of the land and (2) regarding the interest on the compensation awarded. Regarding the diminution in market value of the land, this Court in the connected cases upheld the finding of the court below and did not interfere with the same. As regards the interest portion, the court below has awarded interest at 8% per annum from the date of cutting till realisation. If the amount is not paid within six months, it was held that the petitioner will be entitled to get 12% interest. This Court modified the rate of interest and held that the interest at the rate of 9% would be reasonable, instead of 12%, in case the amount is

not paid within a period of six months.

In the result, the award of the court below is modified substituting 9% interest instead of 12% interest, in case the amount is not paid within six months. No other modification is called for. In all other respects the order of the court below would stand.

C.R.P. is disposed of as above.

Sd/-
P.R.RAMAN,
Judge.

kcv.